

[Second Reprint]

ASSEMBLY, No. 1630

STATE OF NEW JERSEY

211th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2004 SESSION

Sponsored by:

Assemblyman UPENDRA J. CHIVUKULA

District 17 (Middlesex and Somerset)

Assemblyman PETER J. BARNES, JR.

District 18 (Middlesex)

Co-Sponsored by:

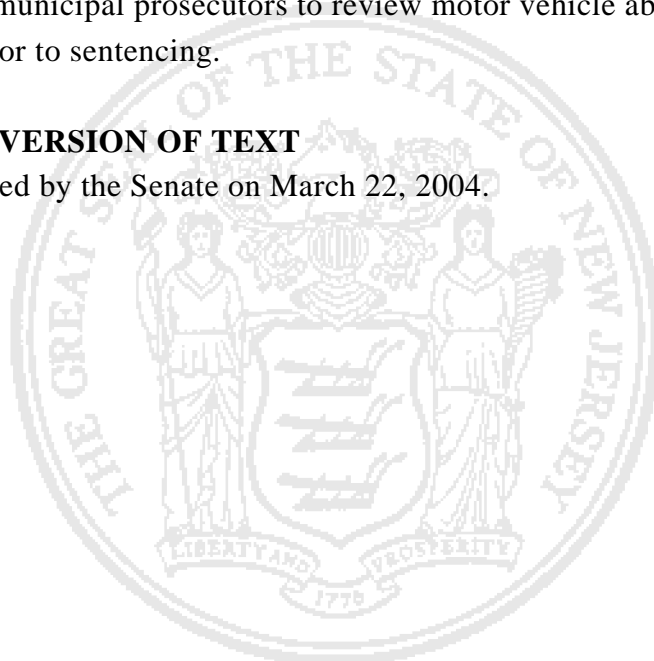
**Assemblyman Diegnan, Senators Kavanaugh, Bark, Assemblywoman
Greenstein, Assemblymen Stack and Eagler**

SYNOPSIS

Requires municipal prosecutors to review motor vehicle abstracts of DWI offenders prior to sentencing.

CURRENT VERSION OF TEXT

As amended by the Senate on March 22, 2004.



(Sponsorship Updated As Of: 5/25/2004)

1 AN ACT concerning municipal prosecutors and supplementing Title 2B
2 of the New Jersey Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Whenever a person is charged with a violation of R.S.39:4-50
8 ¹or section 2 of P.L.1981, c.512 (C.39:4-50.4a)¹, a municipal
9 prosecutor shall contact the ¹[Division of Motor Vehicles] New
10 Jersey Motor Vehicle Commission¹ by ¹[telephone,]¹ electronic or
11 other means, for the purpose of obtaining an abstract of the person's
12 driving record. ²[The prosecutor shall, in every such case, determine
13 on the basis of the record, if the person shall be charged with enhanced
14 penalties as a repeat offender] In every such case, the prosecutor
15 shall:

16 a. Determine, on the basis of the record, if the person shall be
17 charged with enhanced penalties as a repeat offender; and

18 b. Transmit the abstract to the appropriate municipal court judge
19 prior to the imposition of sentence².

20

21 2. This act shall take effect on the first day of the third month after
22 enactment.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ALP committee amendments adopted January 22, 2004.

² Senate floor amendments adopted March 22, 2004.